



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4880

by Rep. Jim Durkin - Dennis M. Reboletti

SYNOPSIS AS INTRODUCED:

720 ILCS 5/11-6.5
720 ILCS 5/11-6.6 new

Amends the Criminal Code of 1961. Creates the offense of indecent solicitation of a parent, legal guardian, or custodian of a person under 17 years of age. Provides that the offense is committed if the person knowingly uses a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission to solicit, lure, or entice, or attempt to solicit, lure, or entice a parent, legal guardian, or custodian of a person under 17 years of age or a person believed to be a parent, legal guardian, or custodian of a person under 17 years of age to consent to the participation of such person under 17 years of age in any act of sexual penetration or sexual conduct with a person 17 years of age or over.

LRB095 12806 RLC 38198 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing
5 Section 11-6.5 and by adding Section 11-6.6 as follows:

6 (720 ILCS 5/11-6.5)

7 Sec. 11-6.5. Indecent solicitation of an adult.

8 (a) Except as otherwise provided in Section 11-6.6, a A
9 person commits indecent solicitation of an adult if the person:

10 (1) Arranges for a person 17 years of age or over to
11 commit an act of sexual penetration as defined in Section
12 12-12 with a person:

13 (i) Under the age of 13 years; or

14 (ii) Thirteen years of age or over but under the
15 age of 17 years; or

16 (2) Arranges for a person 17 years of age or over to
17 commit an act of sexual conduct as defined in Section 12-12
18 with a person:

19 (i) Under the age of 13 years; or

20 (ii) Thirteen years of age or older but under the
21 age of 17 years.

22 (b) Sentence.

23 (1) Violation of paragraph (a)(1)(i) is a Class X

1 felony.

2 (2) Violation of paragraph (a)(1)(ii) is a Class 1
3 felony.

4 (3) Violation of paragraph (a)(2)(i) is a Class 2
5 felony.

6 (4) Violation of paragraph (a)(2)(ii) is a Class A
7 misdemeanor.

8 (c) For the purposes of this Section, "arranges" includes
9 but is not limited to oral or written communication and
10 communication by telephone, computer, or other electronic
11 means. "Computer" has the meaning ascribed to it in Section
12 16D-2 of this Code.

13 (Source: P.A. 88-165; 89-203, eff. 7-21-95.)

14 (720 ILCS 5/11-6.6 new)

15 Sec. 11-6.6. Indecent solicitation of a parent, legal
16 guardian, or custodian of a person under 17 years of age.

17 (a) A person commits indecent solicitation of a parent,
18 legal guardian, or custodian of a person under 17 years of age
19 if the person knowingly uses a computer on-line service,
20 Internet service, local bulletin board service, or any other
21 device capable of electronic data storage or transmission to
22 solicit, lure, or entice, or attempt to solicit, lure, or
23 entice a parent, legal guardian, or custodian of a person under
24 17 years of age or a person believed to be a parent, legal
25 guardian, or custodian of a person under 17 years of age to

1 consent to the participation of such person under 17 years of
2 age in any act of sexual penetration or sexual conduct as
3 defined in Section 12-12 with a person 17 years of age or over.

4 (b) Sentence.

5 (1) If the intended participation is in an act of
6 sexual penetration with a person under 13 years of age, the
7 penalty for indecent solicitation of a parent, legal
8 guardian, or custodian of a person under 17 years of age is
9 a Class X felony.

10 (2) If the intended participation is in an act of
11 sexual penetration with a person 13 years of age or over
12 but under the age of 17 years, the penalty for indecent
13 solicitation of a parent, legal guardian, or custodian of a
14 person under 17 years of age is a Class 1 felony.

15 (3) If the intended participation is in an act of
16 sexual conduct with a person under 13 years of age, the
17 penalty for indecent solicitation of a parent, legal
18 guardian, or custodian of a person under 17 years of age is
19 a Class 2 felony.

20 (4) If the intended participation is in an act of
21 sexual conduct with a person 13 years of age or over but
22 under the age of 17 years, the penalty for indecent
23 solicitation of a parent, legal guardian, or custodian of a
24 person under 17 years of age is a Class A misdemeanor.

25 (c) For the purposes of this Section, "computer",
26 "on-line", and "Internet" have the meanings ascribed to them in

1 Section 16J-5 of this Code.